

In re Patent Application of:
FOX ET AL.
Serial No. 09/500,108
Filing Date: 2/8/00

REMARKS

Claims 1-36 remain in this application. Claim 7 has been amended. No claims have been cancelled.

Applicants thank the Examiner for the detailed study of the application and prior art. Applicants submit a 131 Declaration from the inventors, which proves that the inventors had conceived of the invention before December 29, 1998, the effective date of U.S. Patent No. 6,415,321 to Gleichauf et al. (hereinafter "Gleichauf"), and worked diligently from the time of conception to reduction to practice and later filing of the application.

The Declaration includes Exhibits 1-6, which show initial development with Exhibit 1 depicting a task report with comparison of COTS vulnerability assessment/reasoning engines for automated reasoning. This report discloses the use of disparate vulnerability analysis programs, exporting a system object model database, analyzing the network with each program, and correlating data results.

Exhibit 2 is an abstract of the present invention and Exhibit 3 shows prototype design notes. Exhibits 4 and 5 are more detailed diagrams of the system object model in conjunction with individual tool reports in the fuzzy fusion and multi-tool correlation. Exhibit 6 is a paper that

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describes in detail the reduction to practice of the invention and showing actual pictures of the graphical user interface used in a prototype of the software system.

Applicants also note that although Gleichauf is effectively removed as a reference, Gleichauf is still an improper 102(e) reference because it does not specifically show the use of disparate network vulnerability analysis programs. Disparate programs include different vulnerability analysis tools, i.e., software programs for network analysis. Gleichauf specifically states that only one domain mapping device 46 supports acquisition of network information for the network devices of the network. It does not specifically disclose the use of disparate network vulnerability/risk analysis programs that are supported by a system object model database, wherein the programs analyze the work and data results are correlated to determine the security posture of a network. Gleichauf actually teaches away from the present invention because it stresses the use of only one active process as a network vulnerability assessment, as compared to the present claimed invention where disparate network vulnerability/risk analysis programs are used.

As to U.S. Patent No. 5,751,965 to Mayo et al. (hereinafter "Mayo"), Applicants agree that it discloses a

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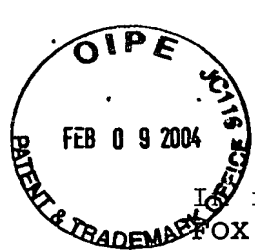
Serial No. 09/500,108

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graphical user interface as a network modeled as a map. Mayo is directed, however, to network management of connections to other relationships among entities making up a communications network. In Mayo, the conditions of the relationship can be color coated. These conditions could be indicative of an operational status, a faulty status, an unknown status, a disabled status, or a not communicating status. Nowhere does Mayo suggest the present claimed invention of assessing a security posture of a network by creating a system object model database, exporting the database to disparate network vulnerability/risk analysis programs, analyzing the network, and correlating data results to determine the security posture of the network. Indeed, Mayo suggests a graphical user interface as operative with coordinated devices and not disparate programs, as in the present claimed invention.

Also submitted is an Information Disclosure Statement that lists the prior art cited by the Examiner in the related copending patent application serial no. 09/500,269 filed February 8, 2000, the title of which is listed at the end of the detailed description on page 32.

Also, Applicants note that the Information Disclosure Statement and PTO-1449 form was filed with this patent application on December 26, 2001. The Office Action



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did not include the initialed copy of the PTO-1449 form indicating that the Examiner had considered the Information Disclosure Statement. Applicants submit with this Amendment a copy of the PTO-1449 form, the Information Disclosure Statement document, and a copy of the return postcard indicating that the Patent Office had received the IDS. Applicants request an initialed copy for their records to complete the file.

Applicants contend that the present case is in condition for allowance and respectfully requests that the Examiner issue a Notice of Allowance and Issue Fee Due. If the Examiner has any questions or suggestions for placing this case in condition for allowance, the undersigned attorney would appreciate a telephone call.

Respectfully submitted

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **MAIL STOP FEE AMENDMENT, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450**, on this 3rd day of February, 2004.

Julia Lalan